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September 20, 2024

By ECF Filing and Electronic Mail

Hon. Donovan W. Frank
United States District Court for the District of Minnesota
Warren E. Burger Federal Building and U.S. Courthouse
316 North Robert Street, Suite 100
St. Paul, MN 55101
frank_chambers@mnd.uscourts.gov

Re: *In re: Change Healthcare, Inc. Customer Data Sec. Breach Litig.*, 0:24-md-03108-DWF-DJF, Coordination with Related State Court Proceedings

Dear Judge Frank:

Pursuant to the Court's request for a letter during the First Status Conference held on September 17, 2024, undersigned counsel for Defendants Change Healthcare Inc., UnitedHealth Group Incorporated, UnitedHealthcare, Inc., Optum, Inc., and Change Healthcare Solutions, LLC (collectively, "Defendants") hereby submit this list of pending state court cases stemming from the February 2024 cyberattack on Change Healthcare Inc., along with a brief description of the status of each.

1. *Eye Care Associates of Morristown, Inc. v. Change Healthcare, Inc.*, No. 24-CV-048 (Tenn. Cir. Ct. Hamblen Cnty. filed Apr. 16, 2024)

Status:

On August 28, 2024, the Court granted Change Healthcare Inc.'s Unopposed Motion for an Enlargement of Time to Respond to the Amended Class Action Complaint extending Change Healthcare Inc.'s time to respond to the complaint until the issuance of a scheduling order in the related Multidistrict Litigation (MDL No. 3108). Because the Court in this matter has ordered Parties shall jointly file a status update no later than ten days after the MDL court issues a scheduling order, we do not believe it is necessary to contact the state court to coordinate at this juncture.

Judge:

Hon. William E. Phillips, II
210 E Main Street
Rogersville, TN 37857
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Plaintiff's Counsel:

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(Mr. Hodge is currently proposed as State Court Liaison in the Majority Plaintiffs' Motion for Appointment of Lead Counsel).

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2. *Mid-South Imaging & Therapeutics, P.A. v. UnitedHealth Group, Inc., et al.*, No. 24-0723-III (Tenn. Ch. Ct. Davidson Cnty. filed June 21, 2024)

Status:

Defendants filed a Motion to Stay Proceedings Pending Resolution of, or Pertinent Guidance from, Substantially Related Multidistrict Litigation (MDL No. 3108). The Motion to Stay is scheduled for oral argument on September 25, 2024. As discussed during the September 17, 2024 MDL hearing and as requested in Defendants' September 5, 2024 letter, Defendants respectfully request that the MDL Court contact the Honorable Chancellor l'Aesha Myles to coordinate these matters.

Chancellor:

Hon. l'Aesha L. Myles
1 Public Square, Suite 407
Nashville, TN 37201
Phone: (615) 862-5705
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3. *Mhrez v. Change Healthcare, Inc.*, No. BER-L-004772-24 (N.J. Super. Ct. Bergen Cnty. filed Aug. 15, 2024)

Status:

Service has not been made in this action. Defendant Change Healthcare Inc. reserves all rights, and does not request any coordination by the MDL Court at this juncture.

Judge:

Hon. Nicholas Ostuni
Bergen County Justice Center
10 Main Street, Floor 4
Hackensack, New Jersey 07601
Phone: (201) 221-0700 ext. 25599
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4. *Bawaney v. Change Healthcare, Inc.*, No. 50-2024-CC-11988-XXA-MB (Fla. Cnty. Ct. Palm Beach Cnty. filed Aug. 13, 2024)

Status:

On September 5, 2024, Change Healthcare Inc. filed an Unopposed Motion for Enlargement of Time to Respond to Complaint to October 9, 2024. Defendant Change Healthcare Inc. respectfully requests that the MDL Court contact the Honorable Judge Stephanie Tew to coordinate these matters.

Judge:

Hon. Stephanie F. Tew
Judge Daniel T.K. Hurley Courthouse
205 North Dixie Hwy.
West Palm Beach, FL 33401
Phone: (561) 335-7845
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5. *Fullwood v. Change Healthcare, Inc.*, No. 2024 CC 004047 CL (Fla. Cnty. Ct. Osceola Cnty. filed Aug. 13, 2024)

Status:

On September 5, 2024, Change Healthcare Inc. filed an Unopposed Motion for Enlargement of Time to Respond to Complaint to October 9, 2024. Defendant Change Healthcare Inc. respectfully requests that the MDL Court contact the Honorable Judge Gabrielle Sanders-Morency to coordinate these matters.

Judge:

Hon. Gabrielle Sanders-Morency
Jon B. Morgan Osceola County Courthouse

2 Courthouse Square
Kissimmee, Florida 34741
Phone: (407) 742-2495

Plaintiff's Counsel:

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6. *Bollinger v. Washington State Department of Labor & Industries*, No. 24-2-12761-5 SEA
(Wash. Super. Ct. King Cnty.)

Status:

The Washington State Department of Labor & Industries' response to the complaint is due on September 27, 2024. While Defendants are not named in this suit, the subject matter of the *Bollinger* case overlaps with that of the instant MDL and for that reason, Defendants respectfully request that the MDL Court contact the Honorable Judge Tanya L. Thorp to coordinate these matters.

Judge:

Hon. Tanya L. Thorp
c/o King County Superior Court
516 Third Avenue, Room C-203
Seattle, WA 98104
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* * *

Sincerely,

/s/ Allison M. Ryan

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cc: Daniel E. Gustafson (MDL Plaintiffs' Temporary Interim Leadership Counsel)
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